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Attorneys for Defendants and Claimant
 BARRY COHEN, CHRIS COHEN (aka CHRISTENE COHEN), the F/V POINT LOMA and
 Claimant, F/V POINT LOMA Fishing Company, Inc.

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

DEL MAR SEAFOODS, INC.,

Plaintiff,

v.

BARRY COHEN, CHRIS COHEN (aka
 CHRISTENE COHEN), *in personam* and,
 F/V POINT LOMA, Official Number
 515298, a 1968 steel-hulled, 126-gross ton,
 70.8 foot long fishing vessel, her engines,
 tackle, furniture apparel, etc., *in rem*, and
 Does 1-10,

Defendants.

No. C-07-2952-WHA

**DECLARATION OF L. KEITH
 GORDER, JR. IN SUPPORT OF
 DEFENDANTS' MOTION
 REGARDING AMOUNT OF
 REASONABLE ATTORNEY'S FEES
 AND COSTS**

I, L. Keith Gorder, Jr., declare as follows:

1. I am the Chief Operating Officer of Davis Wright Tremaine LLP (DWT), and I
 have held this position for 10 years. The statements in this declaration are made on my personal
 knowledge, and are true and correct to the best of my knowledge and understanding. I am
 competent to testify to them.

2. Part of my job is to manage the process of setting billing rates for personnel who
 work at DWT and to determine which charges to pass onto clients. In the course of setting these

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1 rates and policies, I evaluate our rates and policies against the rates and policies of other law firms
2 in San Francisco – particularly those of comparable size, expertise, and reputation.

3 3. The billing rates as of January 1, 2008, for attorneys at DWT were generally at or
4 below the third quartile of the range of rates as compared to fifty-two other large peer firms (151
5 or more attorneys firm-wide) with either their headquarters or branch offices in San Francisco, as
6 measured by independently compiled survey data. The billing rate for associate Gwen Fanger,
7 who graduated from law school in 1997 and whose rate is set at a level with associates who have
8 been practicing for six years, was \$350 as of January 1, 2008. The first quartile rate for associates
9 of this tenure as of January 1, 2008, was \$505, the median rate was \$435, and the third quartile
10 rate was \$375. Ms. Fanger's rate ranked in the lowest quartile of rates for peer firms. The billing
11 rate for partner James Walsh, who graduated from law school in 1970 and has been practicing
12 approximately thirty-eight years, was \$520 as of January 1, 2008. The first quartile rate for
13 partners with greater than thirty-five years tenure as of January 1, 2008, was \$776, the median rate
14 was \$673, and the third quartile rate was \$591. Mr. Walsh's rate ranked in the bottom quartile of
15 rates for peer firms.

16 4. DWT's policies regarding which costs and expenses to pass onto clients are typical
17 of other law firms in San Francisco, and in some cases are more generous than such firms. DWT
18 typically charges clients for copying expenses, travel expenses, expert fees, computerized research
19 service, and in-house messenger services. The prices that DWT charges for those items are typical
20 compared to other San Francisco firms. DWT, in contrast to some other firms, does not bill
21 clients for long distance phone calls, and DWT bills for computerized legal research at "cost"
22 instead of marking up such expenses.

23 I declare under penalty of perjury under the laws of the United States that the foregoing is
24 true and correct.

25 DATED this 10th day of July, 2008 in Seattle, Washington.

26 By 

27 L. Keith Gordey, Jr.
28